

**UNITED STATES BANKRUPTCY COURT  
EASTERN DISTRICT OF VIRGINIA  
RICHMOND DIVISION**

**In Re: Eric Tyler Thornton ) CASE NO. 18-30017-KRH**  
**Brittany Monet Waller ) Chapter 13**

Debtor Address(es): 1530 Honey Grove Dr. Apt F  
Henrico, VA 23229

Last four digits of Social Security No(s): 6812  
8372

**AMENDED**  
**MOTION TO DISMISS, NOTICE OF MOTION AND NOTICE OF THE HEARING**

**NOW COMES** the Chapter 13 Trustee and moves this Court to dismiss this case as provided in 11 U.S.C. 1307(c)(6) as the Debtor(s) are in default in making the payments under the plan.

Carl M. Bates, Chapter 13 Trustee, has filed papers with the court to dismiss this case.

**Your rights may be affected. You should read these papers carefully and discuss them with your attorney, if you have one in this bankruptcy case. (If you do not have an attorney, you may wish to consult one.)**

If you do not want the court to grant the relief sought in the motion, or if you want the court to consider your views on the motion, then on or before seven (7) days before the date of the hearing, you or your attorney must:

Carl M. Bates  
Chapter 13 Trustee  
P.O. Box 1819  
Richmond, VA 23218  
(804)237-6800  
VSBN 27815

X   File with the court, at the address shown below, a written request for a hearing [or a written response pursuant to Local Bankruptcy Rule 9013-1(H)]. If you mail your request for hearing (or response) to the court for filing, you must mail it early enough so the court will **receive** it on or before the date stated above.

Clerk of Court  
United States Bankruptcy Court  
701 East Broad Street, Suite 4000  
Richmond, VA 23219

Carl M. Bates  
Chapter 13 Trustee  
P.O. Box 1819  
Richmond, VA 23218  
(804)237-6800  
VSBN 27815

You must also mail a copy to:

Carl M. Bates, Chapter 13 Trustee  
Chapter 13 Trustee  
P.O. Box 1819  
Richmond, VA 23218

\_\_\_\_\_ Attend a hearing to be scheduled at a later date. You will receive separate notice of hearing. **If no timely response has been filed opposing the relief requested, the court may grant the relief without holding a hearing.**

  X   Attend the hearing on the motion scheduled to be held on **December 05, 2018** at **11:00 AM** at United States Bankruptcy Court, **701 East Broad Street, Richmond, VA 23219, Room 5000.**

If you or your attorney do not take these steps, the court may decide that you do not oppose the relief sought in the motion and may enter an order granting that relief.

Dated: October 30, 2018

/s/ Carl M. Bates

Carl M. Bates  
Chapter 13 Trustee  
P.O. Box 1819  
Richmond, VA 23218  
VSBN 27815

Certificate of Service

I hereby certify that I have this **30th day of October, 2018**, by mail, hand or electronically delivered a true copy of the foregoing Notice of Motion and Motion to the debtor(s) **Eric Tyler Thornton and Brittany Monet Waller, 1530 Honey Grove Dr. Apt F, Henrico, VA 23229** and debtor(s) attorney, **Robert B. Duke, Jr., via e-mail: rdukelaw@gmail.com.**

/s/ Carl M. Bates

Carl M. Bates  
Chapter 13 Trustee

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